

REMARKS

I. Summary of Office Action

Claims 1, 3-8, 18-29, 31-36, 46-57, 59-64, and 74-84 are pending in this application. Claims 25-28, 53-56, and 81-84 have been withdrawn as being directed toward a non-elected invention. Claims 1, 3-8, 18-24, 29, 31-36, 46-52, 57, 59-64, and 74-80 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Alexander et al. U.S. Patent 6,177,931 (hereinafter "Alexander").

II. Summary of Applicants' Reply

Applicants have amended independent claims 1, 18, 29, 46, 57, and 74 to more clearly define the invention. Dependent claims 5 and 33 have been amended to correct a minor typographical error. Dependent claims 4, 8, 32, 36, and 60 have been amended to correct their dependencies. The rejection of applicants' claims under 35 U.S.C. § 102(e) is respectfully traversed.

III. Applicants' Reply to the § 102(e) Rejection

A. Independent Claims 1, 29, and 57

Applicants' invention is generally directed to coordinating advertising and merchandising opportunities across various passive video products and interactive applications. The various passive video products may include, for example, passive program guides and barker channels. (See specification, page 3, lines 10-19). As explained in applicants' specification, traditional passive video products are extremely

limited in their ability to integrate sponsorship, advertising, and interactive merchandising opportunities due to their passive nature. (See Specification, page 2, line 33 - page 3, line 8). Applicants' invention facilitates the integration of passive video products, such as passive program guides and barker channels, with interactive applications by providing various selectable options and alert icons that link to passive video products or advertising. (See specification, pages 40-45 and FIGS. 12-15). In this way, applicants' invention allows providers (e.g., TV Guide) who provide both passive video products and interactive applications to coordinate and integrate advertising and merchandising opportunities between these two types of products.

For example, as amended, applicants' independent claims 1, 29, and 57 are directed to a method and systems for accessing a passive program guide or barker channel and interactive content from an interactive application. A branded selectable option having a product brand logo of a provider (e.g., TV Guide) is provided in a first interactive display. In response to a user selecting the branded selectable option, a barker channel or passive program guide and interactive content (e.g., a user-selectable alert icon overlaid on the barker channel or passive program guide) are provided in a second display that replaces the first display. In this way, a user may link between a special passive video product containing interactive content and an interactive application display (e.g., an interactive media guidance application display).

The Examiner contends that applicants' claimed feature of "providing, in a second display replacing the first display," the barker channel or passive program guide and interactive content in response to a user selecting the branded selectable

option is met by Alexander's PIP window. (See Office Action, p. 4). Applicants respectfully disagree.

Although Alexander's PIP window may show video for programs currently highlighted in the grid guide window, these videos do not show passive program guides or barker channels, as recited by applicants independent claims 1, 29, and 57. In addition, Alexander's PIP window does not replace a first display containing both "a branded selectable option having a product brand logo . . . and interactive content," as also recited by independent claims 1, 29, and 57. As described above, Alexander's PIP window shows video for programs currently highlighted in the grid guide window. Unlike applicants' claimed invention, Alexander's PIP window does not integrate or link to passive program guides or barker channels and interactive content in any way.

For at least these reasons, applicants submit that independent claims 1, 29, and 57 patentably improve upon Alexander. Applicant respectfully request, therefore, that the rejection of independent claims 1, 29, and 57 under 35 U.S.C. § 102(e) be withdrawn.

B. Independent Claims 18, 46, and 74

Applicants' independent claims 18, 46, and 74, as amended, are directed to systems and a method for providing advertisements within an interactive application implemented at least in part on user equipment. Branded passive programming with an advertisement associated with a brand inserted into the passive programming is provided to the user equipment. An alert icon is displayed on the user equipment overlaid on the currently displayed branded passive programming to indicate the

availability of additional information associated with the currently displayed branded passive programming. A user associated with the user equipment is provided with an opportunity to select the alert icon to indicate a desire to access the additional information. In response to the user selection, an interactive display is provided on the user equipment that includes an advertisement associated with the brand of the currently displayed branded passive programming.

The Examiner contends that applicants' independent claims 18, 46, and 74 "do not recite the distinction between the brand of passive programming and content." (Office Action, p. 5). In order to advance prosecution, applicants have amended these independent claims to recite that the branded passive programming has "an advertisement associated with a brand inserted into the passive programming." Applicants' claimed invention, therefore, patentably improves upon Alexander at least by "providing an interactive display on the user equipment in response to the user selection, wherein the display comprises an advertisement associated with the brand of the currently displayed branded passive programming."

Accordingly, for at least the foregoing reason, applicants submit that independent claims 18, 46, and 74 are patentable over Alexander. Applicants respectfully request, therefore, that the rejection of independent claims 18, 46, and 74 under 35 U.S.C. § 102(e) be withdrawn.

C. The Dependent Claims

Dependent claims 3-8, 19-24, 32-36, 47-52, 55, 56, 59-64, and 75-80, which each depend from one of independent claims 1, 18, 29, 46, 57, and 74, are allowable for at least the same reasons as their respective independent claim. Applicants

respectfully request, therefore, that the rejection of these claims under 35 U.S.C. § 102(e) be withdrawn.

IV. Conclusion

Applicants submit this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'B. Mack', is written over a horizontal line.

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